

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

METROPOLITAN SOLUTIONS  
GROUP, INC.

v.

RODRIGUEZ, ET AL.

4:21-cv-00099-RCY-DEM

**LETTER FROM VIVIAN RODRIGUEZ, OPPOSITION TO DEFAULT,  
OPPOSITION TO DEFAULT JUDGMENT**

Dear Judge:

My name is Vivian Rodriguez. I've been named as a defendant in this case. I have not hired an attorney to formally represent me in this court because I cannot afford one. I am writing this letter on my own behalf. I plan to represent myself in this case.

**Objection to Default and Default Judgment**

I do not agree that I should lose the case because of any default or default judgment. The only reason I allowed a default to occur was because I was actively working with the Plaintiff's attorney to settle the case.

**Answer**

I am filing an Answer with the Court shortly. I do not agree that I am liable to any party in this case.

**Reasons for Delays, My Attempts to Settle this Matter**

I became aware that this lawsuit had been filed in late 2021. Plaintiff's attorney contacted me after the case was filed and I hired an attorney, along with another defendant, Irma Rojas, to help me discuss out-of-court settlement with the other side. My agreement with my attorney was only to help me with settlement negotiations. I cannot afford an attorney for the entire case. My attorney has explained that he cannot formally enter an appearance in the court to handle the entire litigation.

Over the last several months, I made numerous efforts to settle with the other side. There were many phone calls and emails, between my attorney and Plaintiff's attorney. The other side made many offers to settle the matter if I provided certain disclosures of text messages, and other documents. They also asked me to make written responses to their claims. I participated in the entire process. Only a few weeks ago, the Plaintiff's attorney wrote my attorney an email, saying

that the disclosures and efforts I made to settle the case were “insubstantial and, frankly, disingenuous.” *I completely disagree with the Plaintiff on this.* I provided documents, text messages with other defendants and written responses requested by the Plaintiff. I made many efforts to avoid having to get involved in this case. Plaintiff is using their money and power to keep me involved in this lawsuit as long as they can. I now think that the Plaintiff’s promises to settle the case were not serious. The reason that settlement never occurred is because Plaintiff’s attorneys kept demanding more and more information from me and ignored the information I did provide.

#### **My Current Lawyer’s Limited Assistance**

The attorney I am working with for purposes of settlement is Eric Menhart, Esq and Lexero Law. He is an attorney admitted in this court, but he has explained that his firm cannot formally represent me or Irma because of the complexities in this matter and my limited financial resources. Mr. Menhart has asked that I inform the Court that he has provided limited assistance to me based on ABA Formal Opinion 07-446 (2007) and Standing Comm. On Legal Ethics, Virginia State Bar Ass’n Legal Ethics Op. 1127 (1988). However, I understand that I am responsible for my own case.

#### **My Request for Counsel**

I would ask that the court provide an attorney to me, without cost. I do not know if this is possible. If it is, I would like to request assistance.

Thank you very much.

[Signature] 

Vivian Rodriguez

#### **CERTIFICATE OF SERVICE**

I certify that I have provided a copy of this letter to all other parties in the case on March 2, 2022, via postal mail or email.

/s/Vivian Rodriguez  
Vivian Rodriguez